

Ms. Niland, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 67. Concurrent resolution honoring the soldiers of the Army's Black Corps of Engineers for their contributions in constructing the Alaska-Canada highway during World War II and recognizing the importance of these contributions to the subsequent integration of the military.

The message also announced that pursuant to 22 U.S.C. 3003 note, and the order of the House of January 4, 2005, the Speaker appoints the following Members of the House of Representatives to the commission on Security and Cooperation in Europe: Mr. SMITH of New Jersey, Co-Chairman, Mr. WOLF of Virginia, Mr. PITTS of Pennsylvania, Mr. ADERHOLT of Alabama, and Mr. PENCE of Indiana.

The message further announced that pursuant to section 2 of the Civil Rights Commission Amendments Act of 1994 (42 U.S.C. 1975 note), the order of the House of January 4, 2005, and upon the recommendation of the Minority Leader, the Speaker appoints the following individual on the part of the House of Representatives to the Commission on Civil Rights to fill the remainder of the term expiring on May 3, 2005: Mr. Michael Yaki of San Francisco, California.

The message also announced that pursuant to 22 U.S.C. 3003 note, and the order of the House of January 4, 2005, the Speaker appoints the following Members of the House of Representatives to the Commission on Security and Cooperation in Europe: Mr. CARDIN of Maryland, Mrs. SLAUGHTER of New York, Mr. HASTINGS of Florida, and Mr. MCINTYRE of North Carolina.

#### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 418. An act to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, and to ensure expeditious construction of the San Diego border fence; to the Committee on the Judiciary.

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 6. Concurrent resolution expressing the sense of the Congress that the Department of Defense should continue to exercise its statutory authority to support the activities of the Boy Scouts of America, in particular the periodic national and world Boy Scout Jamborees; to the Committee on Armed Services.

H. Con. Res. 26. Concurrent resolution honoring the Tuskegee Airmen for their bravery in fighting for our freedom in World War II, and for their contribution in creating an integrated United States Air Force; to the Committee on Armed Services.

H. Con. Res. 30. Concurrent resolution supporting the goals and ideals of National Black HIV AIDS Awareness Day; to the Committee on Health, Education, Labor and Pensions.

H. Con. Res. 67. Concurrent resolution honoring the soldiers of the Army's Black Corps

of Engineers for their contributions in constructing the Alaska-Canada highway during World War II and recognizing the importance of these contributions to the subsequent integration of the military; to the Committee on Armed Services.

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 397. A bill to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others.

S. 403. A bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 310. An act to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane material, and for other purposes.

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, February 17, 2005, she had presented to the President of the United States the following enrolled bill:

S. 5. An act to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1010. A communication from the Assistant General Counsel for Legislation and Regulatory Law, Office of Security, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Procedural Rule for the Assessment of Civil Penalties for Classified Information Security Violations" (RIN1992-AA28) received on February 14, 2005; to the Committee on Energy and Natural Resources.

EC-1011. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Montana Regulatory Program" (MT-024-FOR) received on February 11, 2005; to the Committee on Energy and Natural Resources.

EC-1012. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Syrups, Hydrolyzed Starch, Hydrogenated; Exemption from the Requirement of a Tolerance" (FRL No. 7697-9) received on February 14, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1013. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Quizalofop-ethyl; Pesticide Tolerance"

(FRL No. 7694-4) received on February 14, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1014. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Octanamide, N,N-dimethyl and Decanamide, N,N-dimethyl; Exemptions from the Requirements of a Tolerance" (FRL No. 7698-3) received on February 14, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1015. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Avermectin B1 and its delta-8,9-isomer; Pesticide Tolerance" (FRL No. 7695-7) received on February 14, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1016. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clothianidin; Pesticide Tolerance" (FRL No. 7690-2) received on February 14, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1017. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acibenzolar-S-methyl; Pesticide Tolerances for Emergency" (FRL No. 7697-8) received on February 14, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1018. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Glyphosate; Pesticide Tolerance" (FRL No. 7697-7) received on February 14, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1019. A communication from the Acting Chief, Publications and Regulations Bureau, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Testimony or Production of Records in a Court or Other Proceeding" (TD 9178) received February 14, 2005; to the Committee on Finance.

EC-1020. A communication from the Acting Chief, Publications and Regulations Bureau, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Specified Liability Losses" (Notice 2005-20) received February 14, 2005; to the Committee on Finance.

EC-1021. A communication from the Acting Chief, Publications and Regulations Bureau, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Purchase Price Safe Harbors for Section 143 and 25" (Rev. Proc 2005-15) received February 14, 2005; to the Committee on Finance.

EC-1022. A communication from the Acting Chief, Publications and Regulations Bureau, Internal Revenue Service, Department of the Treasury transmitting, pursuant to law, the report of a rule entitled "Weighted Average Interest Rate Update Notice—Pension Funding Equity Act of 2004" (Notice 2005-19) received February 14, 2005; to the Committee on Finance.

EC-1023. A communication from the Acting Chief, Publications and Regulations Bureau, Internal Revenue Service, Department of the Treasury transmitting, pursuant to law, the

report of a rule entitled "Return of Partnership Income" (TD 9177) received February 14, 2005; to the Committee on Finance.

### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-1. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to the Specialty Crop Competitiveness Act; to the Committee on Agriculture, Nutrition, and Forestry.

#### SENATE RESOLUTION NO. 279

Whereas, in 2001, Congress provided for specialty crop block grant program to address difficult circumstances in specialty crop segments of American agriculture. Through this single-year program, states, including Michigan, administered grants that helped specialty crop producers, processors, and commodity organizations conduct research, revamp marketing and promotion, and improve inspection efforts; and

Whereas, the specialty crop block grant program, which is distinct from traditional farm assistance programs, was successful, especially in Michigan, in fostering improvement in the competitiveness of many crop areas through a focus on specific projects. The program's impact on Michigan agriculture was widespread; and

Whereas, Congress has before it a measure that would authorize a permanent specialty crop block grant program. The Specialty Crop Competitiveness Act, H.R. 3242, would be a most effective way to increase the competitiveness of American agriculture in our fast-changing global economy. With the great diversity of Michigan's farms, our state has a major stake in this legislation: Now, therefore, be it

*Resolved by the Senate*, That we memorialize the Congress of the United States to enact the Specialty Crop Competitiveness Act; and be it further

*Resolved*, That copies of the resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-2. A Joint Resolution adopted by the Assembly of the State of California relative to specialty crops; to the Committee on Agriculture, Nutrition, and Forestry.

#### ASSEMBLY JOINT RESOLUTION NO. 69

Whereas, rapid conversion of California's farm and ranch lands for nonfarm use has contributed to the state's increased dependence upon imported food; and

Whereas, according to the National Agricultural Statistical Service of the United States Department of Agriculture, 3.7 million acres of farm land (more than 10 percent of total farm land) was lost between 1990 and 2003; and

Whereas, increased dependence upon imported foods has created increased vulnerability to exotic pests and diseases, evidenced by 63,527 shipments of prohibited commodities intercepted and destroyed or shipped back out-of-state in 2002; and

Whereas, according to the California Department of Food and Agriculture's (hereafter CDFA) January 2004 report Protecting California from Biological Pollution, interception of quarantined pests at point-of-entry is the state's primary defense against the introduction and spread of biological pollution; and

Whereas, every dollar spent on early intervention against exotic and invasive species,

on average prevents seventeen dollars (\$17) in later expenses, as seen by the following:

(a) CDFA Plant Health Pest Prevention Services spent two hundred fifty-eight million dollars (\$258,000,000) to eradicate Mediterranean fruit fly infestations between 1980 and 1996. Just four million four hundred thousand dollars (\$4,400,000) has been spent since the Medfly Exclusion Program was launched in 1996.

(b) CDFA Animal Health & Food Safety Services in 2002 reported that Exotic Newcastle Disease, the most fatal vital disease known to birds, required more than 3.4 million birds to be destroyed at a cost of more than three million six hundred thousand dollars (\$3,600,000) to California and one hundred sixty-six million four hundred thousand dollars (\$166,400,000) to the federal government.

Whereas, pest and disease prevention and exclusion is critical to all states of this nation and to our populations, in order to protect the health and welfare of the public and the jobs within agriculture and its related industries; and

Whereas, the California Legislature recognizes the importance of the partnership between federal and state governments to protect California's food and fiber from exotic pests and diseases, and the importance of promoting the role local agriculture has in supporting the daily living needs of all Californians and United States citizens; and

Whereas, the Legislature recognizes the farm worker's importance to agriculture production and the dependence of rural economies on agriculture; and

Whereas, the California Legislature recognizes the role the United States Congress played in delivering the 64 million dollar grant from the United States Department of Agriculture in 2001, which was the basis for the Buy California Initiative promoting California Grown products; and

Whereas, the California Legislature recognizes the value of federal funds available to support important programming including the Western Institute for Food Safety managed by the University of California at Davis; the 5 A Day For Better Health Nutrition Education Campaign managed by the state Department of Health Services; and the Linking Education, Activity and Food (LEAF) Program managed by the state Department of Education; and

Whereas, the California Legislature believes that there is a need, but no state funding, to expand programs that integrate food nutrition and schools, including, but not limited to, local fresh fruits and vegetables in school lunch programs, and educating school officials about on the seasons of state grown specialty crops; and

Whereas, the United States Congress currently is considering HR 3242, the Specialty Crop Competitiveness Act of 2003; and

Whereas, HR 3242 would continue the essential federal funding that started in 2001 that helped to support California's increasingly challenged food and fiber production infrastructure with the tools necessary to support food and fiber security, nutrition, and education: Now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly*, That the Legislature of the State of California respectfully requests that the Congress of the United States of America support the passage of HR 3242, the Specialty Crop Competitiveness Act of 2003; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, and to each Senator and Representative from California in the Congress of the United States.

POM-3. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania relative to the Medal of Honor for Valor; to the Committee on Armed Services.

#### HOUSE RESOLUTION NO. 848

Whereas, during the invasion of the Philippine Islands, Sgt. Harvey Possinger, a resident of Stroud Township, Monroe County, went above and beyond the call of duty by rescuing two of his fellow soldiers, Emil Angel and Paul Baehr, who were under intense mortar fire at Belete Pass, despite being seriously injured himself; and

Whereas, in spite of his wounds, Sgt. Possinger selflessly administered medical assistance to Emil Angel, inspiring his unit, B company, which two days later secured the area with the help of reinforcements and enabled the Allied campaign to move forward; and

Whereas, Sgt. Possinger is a highly decorated combat veteran of World War II, receiving five Purple Hearts, a Distinguished Service Cross, a Silver Star and a Bronze Star for his three years of outstanding military service; and

Whereas, Sgt. Possinger's commanding officer nominated him for the Medal of Honor 60 years ago, but the nomination was lost, destroyed or misfiled; and

Whereas, the Congress has rendered no decision on the matter: Therefore be it

*Resolved*, That the House of Representatives of the Commonwealth of Pennsylvania memorialize the Congress to award the Medal of Honor to Sergeant Harvey Possinger without further delay; and be it further

*Resolved*, That a copy of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-4. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to stabilizing the steel market; to the Committee on Banking, Housing, and Urban Affairs.

#### SENATE RESOLUTION NO. 241

Whereas, for many years, manufacturers in our country and throughout our state have wrestled with fluctuations in the prices of steel. There are many contributing factors, including the notable impact of other nations subsidizing raw steel products and "dumping" them on the American market. The cumulative impact of this instability has been damaging to many key industries; and

Whereas, a very significant and harmful development of late is a steep rise in the cost of scrap steel. In only a few months, major increases in purchases of scrap steel by other countries, especially China and South Korea, have resulted in skyrocketing costs of scrap steel, a key source of materials used by manufacturers of many types of products, especially within the automotive industry; and

Whereas, dramatically escalating scrap steel costs are a serious threat to numerous auto supply companies throughout Michigan. These companies rely upon the availability of this material at fair prices to fill their contracts with the major automakers. This situation is a major factor threatening Michigan jobs in many communities. The seriousness of this threat to jobs and our nation's manufacturing capacity requires swift action to bring stability to this market: Now, therefore, be it

*Resolved by the Senate*, That we memorialize the President and the Congress of the United States to explore what steps might be necessary to stabilize the steel market in this country in order to ensure the availability of this raw material for domestic